

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NIPPON SHINYAKU CO., LTD.,)	
Plaintiff,)	
)	C.A. No. 21-1015 (JLH)
)	
v.)	DEMAND FOR JURY TRIAL
)	
SAREPTA THERAPEUTICS, INC.,)	
Defendant.)	
SAREPTA THERAPEUTICS, INC. and THE		
UNIVERSITY OF WESTERN AUSTRALIA,)	
Defendant/Counter-Plaintiffs,)	
)	
v.)	
)	
NIPPON SHINYAKU CO., LTD. and NS)	
PHARMA, INC.,)	
Plaintiff/Counter-Defendants.)	

[PROPOSED] ORDER

AND NOW, this ____ day of _____, 2024 it is hereby ordered that:

1. Plaintiff/Counter-Defendant Nippon Shinyaku Co., Ltd. and Counter-Defendant NS Pharma, Inc.’s Motion to Exclude Opinions of Dr. Steven Dowdy, Ph.D. is GRANTED.

2. The Court excludes Dr. Dowdy’s reliance on post-priority date testing of antisense oligonucleotides as support for a “structure-function” correlation corresponding to the UWA Patents’ claimed genus.

Honorable Jennifer L. Hall